



PAT APPLICATION

Attorney Docket No. 50730

Date: March 8, 1991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) or Patentee(s): O'Gorman, et al.

07/666252

Application No. or Patent No.:

Filed or Issued:

For: ELP-MEDIATED GENE MODIFICATION IN MAMMALIAN CELLS, AND COMPOSITIONS
AND CELLS USEFUL THEREFOR

Group No.:

Examiner:

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of
the nonprofit organization identified below:

NAME OF ORGANIZATION THE SALK INSTITUTE FOR BIOLOGICAL STUDIES

ADDRESS OF ORGANIZATION 10010 North Torrey Pines Road, La Jolla, CA 92037

TYPE OF ORGANIZATION

- () UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
() TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C.
§§501(a) AND 501(c)(3))
(X) NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE
OF THE UNITED STATES OF AMERICA (NAME OF STATE California)
(CITATION OF STATUTE _____)
() WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE
CODE (26 U.S.C. §§501(a) AND 501(c)(3)) IF LOCATED IN THE
UNITED STATES OF AMERICA
() WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER
STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF
LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above
qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e)
for purposes of paying reduced fees under Section 41(a) and (b) of
Title 35, United States Code with regard to the invention entitled

by inventor(s) Stephen V. O'Gorman and Geoffrey M. Wahl
described in

- (x) the specification filed herewith.
() application Serial No. _____, filed _____.
() Patent No. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed
to and remain with the nonprofit organization with regard to the
above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. §1.27)

Full Name N/A
Address _____
() Individual () Small Business Concern () Nonprofit Organization

Full Name N/A
Address _____
() Individual () Small Business Concern () Nonprofit Organization

Full Name N/A
Address _____
() Individual () Small Business Concern () Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING	<u>DELBERT ERNEST GLANZ</u>
TITLE IN ORGANIZATION	<u>EXECUTIVE VICE PRESIDENT</u>
ADDRESS OF PERSON SIGNING	<u>10010 N. Torrey Pines Road</u> <u>La Jolla, CA 92037</u>
SIGNATURE	<u><i>Delbert Ernest Glanz</i></u>
DATE	<u>March 8, 1991</u>

07/666252

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FLP-MEDIATED GENE MODIFICATION IN MAMMALIAN CELLS,
AND COMPOSITIONS AND CELLS USEFUL THEREFOR**

the specification of which (check one)

- (x) is attached hereto.
 () was filed by an authorized person on my behalf on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and I have also identified below any foreign application for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
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N/A

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
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N/A

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to FITCH, EVEN, TABIN & FLANNERY, Suite 900, 135 south LaSalle Street, Chicago, Illinois 60603, Telephone Nos. (312) 372-7842 or (619) 552-1311:

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March 8, 1991

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